

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 04-07 Erie
)	
MICHAEL JOHN HANCOCK)	

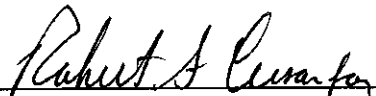
MOTION TO DISMISS INDICTMENT

AND NOW comes the United States of America, by its attorneys, Mary Beth Buchanan, United States Attorney for the Western District of Pennsylvania, and Marshall J. Piccinini, Assistant United States Attorney for said district, and respectfully moves this Court for leave to dismiss the indictment in the above-captioned case, and in support of this motion, avers as follows:

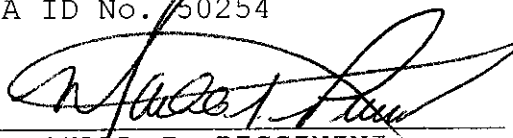
1. On February 10, 2004, the grand jury returned an Indictment charging the defendant with possession of a machinegun in violation of Title 18, United States Code, Section 922(o)(1), and possession of an unregistered firearm silencer in violation of Title 18, United States Code, Section 5861(d).

2. On August 26, 2005, a jury convicted Mr. Hancock on the count of unlawful possession of a machinegun. After the close of the case and before the jury returned its verdict, Mr. Hancock fled the jurisdiction. Mr. Hancock was never sentenced on the charge and was a fugitive from justice until June 2, 2005, when he

was killed as a result of a gunshot injury. The death certificate from the State of Maine is attached as exhibit 1, and confirms Mr. Hancock's death as a result of a self-inflicted gunshot wound to the head.



MARY BETH BUCHANAN
United States Attorney
PA ID No. 50254



MARSHALL J. PICCININI
Assistant U.S. Attorney
PA ID No. 56362